



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,629	12/13/2001	Ted Stine	6541-61435	6412

7590 12/01/2006

KLARQUIST SPARKMAN, LLP
One World Trade Center
Suite 1600
121 S. W. Salmon Street
Portland, OR 97204

EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2618

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,629

Applicant(s)

STINE ET AL.

Examiner

Sujatha Sharma

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/22/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-14,16-18 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-14,16-18 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,4,6,7,10,12-14,16,18,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell [US 5,644,624].

Regarding claim 1 Caldwell discloses an n automatic telephone call origination and retry system.

Caldwell further discloses a device comprising:

- a memory (402 in fig. 4 and col. 4, lines 57-59)
- a processor (414,402 in fig. 4 in fig. 4 and col. 4, lines 57-59)
- a call queue function to enable the configuration of an outgoing call queue stored in a server accessible over a network (see col. 4, lines 47-53, col. 7, lines 24-40), the call queue comprising an order list of entries to dial (see col. 4, lines 47-53, col. 7, lines 24-40).
- a method of dialing of a next entry of outgoing call queue and removing the next entry from the outgoing call queue. See col. 7, lines 7-34. See summary of invention.
- wherein the call queue is associated with a call queue identifier and wherein the call queue identifier is used to locate the call queue and establish an association between the call queue and the processor and the wherein the processor and the memory cooperate to enable the call queue function. See col. 4, lines 38-53 where the action of pressing of the

designated key acts as a call queue identifier and locates the call queue table and associates the processor with the call queue to start dialing.

However Caldwell does not explicitly disclose a wireless device. However the use of a wireless device for special services (for example cordless phone) is well known in the art.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide these special services to a wireless device in order to provide mobility to the user.

Regarding claim 4, Caldwell further discloses a method wherein the queue dial function which when operated once results in dialing all entries of the call queue in the order of the ordered list. See col. 4, lines 47-53, col. 7, lines 24-40.

Regarding claim 6, Caldwell further discloses a first computer system comprising:

- a call queue comprising one or more numbers to dial, the call queue indexed by an identification of the device; see col. 4, lines 38-52
- wherein the call queue is associated with a call queue identifier and wherein the call queue identifier is used to establish an association between the call queue indexed by an identification of the device (see col. 4, lines 38-52) and the processor, wherein the processor and the memory cooperate to enable the call queue function. See col. 4, lines 38-53 where the action of pressing of the designated key acts as a call queue identifier and identifies the call queue table indexed by a number identifying the device and associates the processor with the call queue to start dialing the number.

Art Unit: 2618

- a queue management function to provide a next number to dial from the call queue in response to receipt of a queue dial request from the device. See col. 4, lines 47-53, col. 7, lines 24-40

However Caldwell does not explicitly disclose a wireless device. However the use of a wireless device for special services (for example cordless phone) is well known in the art.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide special services like call queue function to a wireless device in order to provide mobility to the user.

Regarding claim 7, Caldwell further discloses a user database, the user database comprising the call queue. See col. 3, lines 21-26 col. 4, lines 38-53, col. 7, lines 24-40.

Regarding claim 10, Caldwell further discloses a method wherein the queue dial function when operated results in removing the next entry from the call queue. See col. 7, lines 24-40.

Regarding claims 12-14 Caldwell further discloses a method comprising the queue management function to provide each number of the call queue in a dial order, in response to receipt of the queue dial request from the device. See col. 4, lines 47-53, col. 7, lines 24-40

Regarding claim 16, Caldwell teaches a method wherein operating the queue dial function further comprises operating a single button of the wireless communication device. See col. 4, lines 48 - 52.

Regarding claims 18,24 Caldwell discloses:

- locating a call queue according to a queue identifier. See col. 4, lines 38-53 where the action of pressing of the designated key acts as a call queue identifier and locates the call queue table and associates the processor with the call queue to start dialing.
- a method of dialing of a first number of a call queue in response to an operation of a queue dial function. See col. 7, lines 7-34. See summary of invention
- a method of dialing of a next entry of outgoing call queue and removing the next entry from the outgoing call queue. See col. 7, lines 7-34. See summary of invention.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell [US 5,644,624] in view of Taylor [US 6,034,687].

Regarding claim 5, Caldwell discloses all the limitations as claimed. However he does not disclose a method of correlating the name in the queue with a dialable number in the address book.

Taylor teaches a method where an address book is used to store names and numbers and the address book are cross-referenced with the caller's name. See col. 9, lines 50-65.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Taylor to Caldwell in order to provide an efficient call routing method.

Art Unit: 2618

4. Claims 8,9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell [US 5,644,624] in view of Widergren [US 5,890,064].

Regarding claims 8, 9, Caldwell as treated in claim 6, discloses all the limitations as claimed. However he does not disclose a method wherein a second computer/server such as an Internet server receives the call queue from a client device and communicates the queue to the first computer system/home location register (HLR).

Widergren teaches a method of computer-supported telephony. Widegren teaches a method wherein the user creates a personal routing scheme for the computer supported telephony and this personal profile is stored in the HLR (this reads on the limitation where the call queue/routing table is stored I the HLR). Widegren further discloses a method wherein the personal profile can be modified by a computer application communicating with the HLR (this reads on the limitation that the Queue is supplied from the internet server to the HLR). See col. 16, lines 14-35.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Widegren to Caldwell in order to provide a more flexible call routing method and use the computer supported telephony features.

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell [US 5,644,624] in view of Ahlberg [US 5,600,704].

Regarding claim 11, Caldwell discloses all the limitations as claimed. However, he does not disclose a method wherein the MSC receives the number from the first computer system to connect a call.

Art Unit: 2618

Ahlberg, in the same field of endeavor, further discloses a MSC, which receives the number from the feature node/first computer system to connect a call. See Fig. 1 and col. 5, lines 38-55.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above specific teachings of Ahlberg to Caldwell in order to provide special services like call queue function to a wireless device and thus increasing the mobility of the user.

6. Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell [US 5,644,624] in view of Humes [US 6,721,577].

Regarding claim 17, Caldwell discloses all the limitations as claimed. However, he does not disclose a method wherein operating the queue dial function further comprises speaking a queue dial command to the wireless communication device

Humes, in the same field of endeavor, teaches a method wherein operating the queue dial function further comprises speaking a queue dial command to the wireless communication device. See col. 5, lines 10-17.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the teachings of Humes to Caldwell in order to provide a more flexible method of calling system to the user.

Response to Arguments

7. Applicant's arguments filed 10/4/06 have been fully considered but they are not persuasive.

Regarding independent claims 1,6,18 and their dependent claims, the newly added feature “wherein the call queue is associated with a call queue identifier and wherein the call queue identifier is used to locate the call queue and establish an association between the call queue and the processor and the wherein the processor and the memory cooperate to enable the call queue function” is addressed in the rejection of the claims as discussed above.

The applicant argues that the Caldwell reference does not teach the above underlined unique feature.

The examiner respectfully disagrees and would like to draw the applicant's attention to the Caldwell reference. col. 4, lines 38-53 where the action of pressing of the designated key acts as a call queue identifier and locates the call queue table and associates the processor with the call queue to start dialing.

Therefore the rejection of the independent claims 1,6,18 and their dependent claims as discussed above is considered proper.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

Art Unit: 2618

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
November 21, 2006